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May 6, 2011

VIA FAX

Hon. P. Kevin Castel
United States District Court
Southern District of New York
500 Pearl St.
New York, New York 10007
Fax: 212-805-7949

MEMO ENDORSED

Re: Cruz v. TD Bank, N.A.
Case No. 10-cv-08026

Dear Judge Castel,

We represent the Plaintiff and the putative class in the above captioned action. [We write the court to respectfully request a two-day extension for Plaintiffs to submit opposition to Defendant's Motion to Dismiss.]

Plaintiffs' opposition to Defendant's motion is currently due on Wednesday, May, 11, and Plaintiff's seek to adjourn this deadline to Friday, May 13th. This is the first request for an extension of time for this motion. I have conferred with counsel for the Defendant and they consent to the adjournment provided they receive an additional two business days for them to complete their reply, presently due on May 27th. Plaintiffs do not oppose this request.

The undersigned is the principle draftsman of the opposition to Defendant's motion. At present, I am completing briefing on an unrelated motion to dismiss due later today in the Supreme Court of the State of New York. Because of the Sabbath and the forthcoming Mother's day holiday I am unavailable to work on the motion this weekend, and I do not have sufficient time between Monday and Wednesday to adequately complete the opposition to Defendant's motion. However, an extension of time until Friday should provide sufficient time to prepare a full response.

Application granted.
ORDERED
SD
USDS
5-6-11

We thank the Court for its attention to this matter. Should the Court require anything further, please do not hesitate to contact the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Daniel F. Schreck', is written over the typed name.

Daniel F. Schreck

GOK/ds

Cc: Counsel of Record (via e-mail)